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**MAILED**

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**OFFICE OF PETITIONS**

In re Application of  
Murthi Nanja  
Application No. 10/736,728  
Filed: December 16, 2003  
Attorney Docket No. 30320/17593

**ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 22, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a proper reply within the meaning of 37 CFR 1.113 to the final Office action of December 28, 2007. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(II)(A)(2). A two month extension of time was obtained. Accordingly, the date of abandonment of this application is May 29, 2008. A Notice of Abandonment was mailed on December 10, 2008. A reply was received on May 28, 2008, but was not proper since the reply did not put the application in condition for allowance.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a RCE (Request for Continued Examination), with the required fee of \$810, (2) the petition fee of \$1,620, and (3) a proper statement of unintentional delay. Accordingly, the RCE is accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 2116 for processing of the RCE and any action that is required by the Examiner in the normal course of business.



Carl Friedman  
Petitions Examiner  
Office of Petitions